

COMBINED DECLARATION AND POWER OF ATTORNEY

FOR UTILITY PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name; that we verily believe that we are the original, first and joint inventors of the invention entitled:

METHOD AND APPARATUS FOR DETECTING THE PRESENCE OF

MICROBES AND DETERMINING THEIR PHYSIOLOGICAL STATUS

for which a patent is sought and which is described and claimed in the attached specification of application; that we have reviewed and understand the contents of the attached specification, including the claims; that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations; that we do not know and do not believe the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application, that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this application, and that no application for patent or inventor's certificate on

this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representatives or assigns.

As below named inventors, we hereby declare that we qualify as independent inventors as defined in 37 C.F.R. 1.9(c) for the purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office.

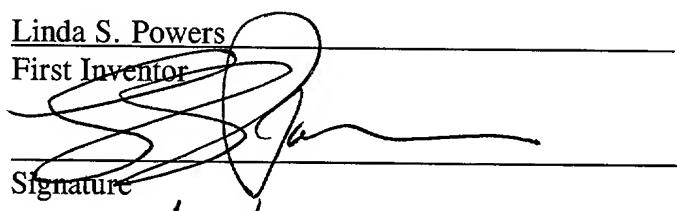
We hereby appoint as our attorney **K. S. Cornaby, Registration No. 24,721, JONES, WALDO, HOLBROOK & McDONOUGH, 170 South Main Street, Suite 1500, Salt Lake City, Utah 84101- 1644, Telephone (801) 521-3200**, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence and telephone calls to **K. S. CORNABY** at the above address.

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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